

## Environmental Protection Agency

## § 63.10880

Citation	Subject	Applies to subpart YYYYY?	Explanation
§ 63.1(a)(1), (a)(2), (a)(3), (a)(4), (a)(6), (a)(10)–(a)(12), (b)(1), (b)(3), (c)(1), (c)(2), (c)(5), (e), § 63.1(a)(5), (a)(7)–(a)(9), (b)(2), (c)(3), (c)(4), (d).	Applicability .....	Yes.	
§ 63.2 .....	Reserved .....	No.	
§ 63.3 .....	Definitions .....	Yes.	
§ 63.4 .....	Units and Abbreviations .....	Yes.	
§ 63.5 .....	Prohibited Activities and Circumvention.	Yes.	
§ 63.6(a), (b)(1)–(b)(5), (b)(7), (c)(1), (c)(2), (c)(5), (e)(1), (e)(3)(i), (e)(3)(iii)–(e)(3)(ix), (f), (g), (h)(1), (h)(2), (h)(5)–(h)(9), (i), (j).	Preconstruction Review and Notification Requirements.	Yes.	
§ 63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv).	Compliance with Standards and Maintenance Requirements.	Yes.	
§ 63.7 .....	Reserved .....	No.	
§ 63.8(a)(1), (a)(2), (b), (c), (d), (e), (f)(1)–(5), (g).	Applicability and Performance Test Dates.	Yes.	
§ 63.8(a)(3) .....	Monitoring Requirements .....	Yes .....	Requirements apply if a COMS or CEMS is used.
§ 63.8(a)(4) .....	[Reserved] .....	No.	
§ 63.8(c)(4) .....	Additional Monitoring Requirements for Control Devices in § 63.11.	No.	
§ 63.8(f)(6) .....	Continuous Monitoring System Requirements.	Yes .....	Requirements apply if a COMS or CEMS is used.
§ 63.9(a), (b)(1), (b)(2), (b)(5), (c), (d), (f), (g), (h)(1)–(h)(3), (h)(5), (h)(6), (i), (j).	RATA Alternative .....	Yes .....	Requirements apply if a CEMS is used.
§ 63.9(b)(3), (h)(4) .....	Notification Requirements .....	Yes.	
§ 63.9(b)(4) .....	Reserved .....	No.	
§ 63.10(a), (b)(1), (b)(2)(i)–(v), (b)(2)(xiv), (b)(3), (c)(1), (c)(5)–(c)(8), (c)(10)–(c)(15), (d), (e)(1)–(e)(4), (f).	Reserved .....	No.	
§ 63.10(b)(2)(xiii) .....	Recordkeeping and Reporting Requirements.	Yes .....	Additional records for CMS in § 63.10(c) (1)–(6), (9)–(15), and reports in § 63.10(d)(1)–(2) apply if a COMS or CEMS is used.
§ 63.10(c)(2)–(c)(4), (c)(9) .....	CMS Records for RATA Alternative.	Yes .....	Requirements apply if a CEMS is used.
§ 63.11 .....	Reserved .....	No.	
§ 63.12 .....	Control Device Requirements .....	No.	
§§ 63.13–63.16 .....	State Authority and Delegations	Yes.	
	Addresses, Incorporations by Reference, Availability of Information, Performance Track Provisions.	Yes.	

### Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources

SOURCE: 73 FR 252, Jan. 2, 2008, unless otherwise noted.

#### APPLICABILITY AND COMPLIANCE DATES

#### § 63.10880 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an iron and steel

foundry that is an area source of hazardous air pollutant (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each iron and steel foundry.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source before September 17, 2007.

(2) An affected source is new if you commenced construction or reconstruction of the affected source on or after September 17, 2007. If an affected

source is not new pursuant to the preceding sentence, it is not new as a result of a change in its compliance obligations pursuant to § 63.10881(d).

(c) On and after January 2, 2008, if your iron and steel foundry becomes a major source as defined in § 63.2, you must meet the requirements of 40 CFR part 63, subpart EEEEE.

(d) This subpart does not apply to research and development facilities, as defined in section 112(c)(7) of the Clean Air Act.

(e) You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

(f) If you own or operate an existing affected source, you must determine the initial applicability of the requirements of this subpart to a small foundry or a large foundry based on your facility's metal melt production for calendar year 2008. If the metal melt production for calendar year 2008 is 20,000 tons or less, your area source is a small foundry. If your metal melt production for calendar year 2008 is greater than 20,000 tons, your area source is a large foundry. You must submit a written notification to the Administrator that identifies your area source as a small foundry or a large foundry no later than January 2, 2009.

(g) If you own or operate a new affected source, you must determine the initial applicability of the requirements of this subpart to a small foundry or a large foundry based on your facility's annual metal melting capacity at startup. If the annual metal melting capacity is 10,000 tons or less, your area source is a small foundry. If the annual metal melting capacity is greater than 10,000 tons, your area source is a large foundry. You must submit a written notification to the Administrator that identifies your area source as a small foundry or a large foundry no later than 120 days after startup.

**§ 63.10881 What are my compliance dates?**

(a) If you own or operate an existing affected source, you must achieve compliance with the applicable provisions of this subpart by the dates in paragraphs (a)(1) through (3) of this section.

(1) Not later than January 2, 2009 for the pollution prevention management practices for metallic scrap in § 63.10885(a) and binder formulations in § 63.10886.

(2) Not later than January 4, 2010 for the pollution prevention management practices for mercury in § 63.10885(b).

(3) Except as provided in paragraph (d) of this section, not later than 2 years after the date of your large foundry's notification of the initial determination required in § 63.10880(f) for the standards and management practices in § 63.10895.

(b) If you have a new affected source for which the initial startup date is on or before January 2, 2008, you must achieve compliance with the provisions of this subpart not later than January 2, 2008.

(c) If you own or operate a new affected source for which the initial startup date is after January 2, 2008, you must achieve compliance with the provisions of this subpart upon startup of your affected source.

(d) Following the initial determination for an existing affected source required in § 63.10880(f),

(1) Beginning January 1, 2010, if the annual metal melt production of your small foundry exceeds 20,000 tons during the preceding calendar year, you must submit a notification of foundry reclassification to the Administrator within 30 days and comply with the requirements in paragraphs (d)(1)(i) or (ii) of this section, as applicable.

(i) If your small foundry has never been classified as a large foundry, you must comply with the requirements for a large foundry no later than 2 years after the date of your foundry's notification that the annual metal melt production exceeded 20,000 tons.

(ii) If your small foundry had previously been classified as a large foundry, you must comply with the requirements for a large foundry no later than the date of your foundry's most recent